



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/596,872 | 06/28/2006 | Nynke A.M. Verhaegh | GB040007 | 1739 |

24737 7590 09/30/2010
PHILIPS INTELLECTUAL PROPERTY & STANDARDS
P.O. BOX 3001
BRIARCLIFF MANOR, NY 10510

| |
|----------|
| EXAMINER |
|----------|

RAO, ANAND SHASHIKANT

| | |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
|----------|--------------|

2621

| | |
|-----------|---------------|
| MAIL DATE | DELIVERY MODE |
|-----------|---------------|

09/30/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|--------------------------------------|--|--|
| Office Action Summary | Application No. 10/596,872 | Applicant(s) VERHAEGH ET AL. | |
| | Examiner Andy S. Rao | Art Unit 2621 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 2/19/09.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☒ Claim(s) 17-29 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2621

DETAILED ACTION

Specification

1. The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Objections

2. Claims 17-29 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim cannot be dependent upon another multiple dependent claim. See MPEP § 608.01(n). Accordingly, the claims 17-29 not been further treated on the merits.

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the

Art Unit: 2621

reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Saxe.

Saxe discloses an electro-optical cell comprising first and second support members at least one of which is transparent to optical radiation (Saxe: column 8, lines 50-55), a suspension of anisometric particles between the support members (Saxe: column 7, lines 25-30), and an electrode arrangement on at least the first support member to apply a first electric field to the particle suspension in such a manner that at least a major proportion of the particles (Saxe: column 8, lines 64-67) are aligned in an oblique configuration relative to the support members in a predetermined region thereof so as to guide obliquely the optical radiation passing between the support members (Saxe: column 8, lines 53-57), as in claim 1.

Regarding claim 2, Saxe discloses wherein the electrode arrangement (11, 12) is on both the first and second support members (Saxe: column 8, lines 20-30), as in the claim.

Saxe discloses a display (Saxe: column 9, lines 40-47) comprising: a source of optical radiation (Saxe: column 8, lines 54-56), a display device comprising an array of pixels (Saxe: column 9, lines 40-47), and a plurality of electro-optical cells as claimed (Saxe: column 8, lines 64-67), as in the claims.

Regarding claims 4-5, Saxe discloses wherein different ones of the electro-optical cells are configured to direct the optical radiation in different directions (Saxe: column 8, lines 50-55), as in the claims.

Art Unit: 2621

Regarding claims 6-7, Saxe discloses a display wherein the electro-optical cells of the first group are interspersed with the electro-optical cells of the second group in recurring patterns (Saxe: column 9, lines 5-15), as in the claim.

Regarding claims 8-9, Saxe discloses a display wherein the electro-optical cell is further configured such that optical radiation from the source incident in a first direction on the electro-optical cell is split into a first beam generally parallel to the first direction to be directed to one eye (Saxe: column 9, lines 30-35) and a second beam in an oblique direction corresponding to the oblique particle configuration to be directed to the other eye (Saxe: column 8, lines 50-55), as in the claims.

Regarding claims 10-11 Saxe discloses means for reducing the number of degrees of freedom of the suspended anisometric particle (Saxe: column 7, lines 25-57), as in the claims

Regarding claims 12-13, Saxe discloses wherein the electro-optical cell is configured such that optical radiation incident in a first part of the cell is partly deflected to the left eye and optical radiation incident in a second part of the cell is partly deflected to the right eye (Saxe: column 9, lines 25-40), as in the claims.

Regarding claims 14-16, Saxe discloses wherein the second row (R1) comprises five electrodes (Saxe: column 8, lines 17-34), as in the claims.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hikmet discloses an electronically controllable control conversion cell.

Art Unit: 2621

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andy S. Rao whose telephone number is (571)272-7337. The examiner can normally be reached on Monday-Friday 9AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on 571-272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

asr

/Andy S. Rao/

Primary Examiner, Art Unit 2621

September 27, 2010